

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

STEVEN MICHAEL WILLIAMS,

Plaintiff,

6:13-cv-00959-TC

v.

FINDINGS AND  
RECOMMENDATION

MARION COUNTY JAIL  
COMMANDER, et al.,

Defendants.

COFFIN, Magistrate Judge.

Plaintiff, an inmate in the custody of the Marion County Jail, filed a complaint under 42 U.S.C. § 1983 alleging violations of his constitutional rights. By Order (#8) entered July 23, 2013, plaintiff's complaint was dismissed for failure to state a claim. Plaintiff was advised of the deficiencies of the complaint and allowed 30 days to file an amended complaint.

On July 25, 2013, plaintiff filed an amended complaint (#10). However, the amended complaint fails to cure the deficiencies that led to the dismissal of the original complaint.

The court's Order (#9) advised plaintiff of the minimal pleading standards of the Federal Rules.

However, plaintiff's amended complaint consists of a series of random allegations that are neither cogent or comprehensible. Most of plaintiff's complaint is illegible. Although pro se complaints are to be liberally construed, there are limits. Plaintiff's amended complaint exceeds reasonable limits.

Based on all of the foregoing and for the reasons stated in the court's Order (#8), plaintiff's Amended Complaint (#10) should be dismissed. Because it is apparent that the deficiencies of the complaint cannot be cured by amendment, the dismissal should be with prejudice.

This recommendation is not an order that is immediately appealable to the Ninth Circuit Court of appeals. Any notice of appeal pursuant to Rule 4(a)(1), Federal Rules of Appellate Procedure, should not be filed until entry of the district court's judgment or appealable order. The parties shall have fourteen (14) days from the date of service of a copy of this recommendation within which to file specific written

objections with the court. Thereafter, the parties have fourteen (14) days within which to file a response to the objections. Failure to timely file objections to any factual determination of the Magistrate Judge will be considered as a waiver of a party's right to de novo consideration of the factual issues and will constitute a waiver of a party's right to appellate review of the findings of fact in an order or judgment entered pursuant to the Magistrate Judge's recommendation.

***Any appeal from an Order adopting this Findings and Recommendation or Judgment dismissing this action would be frivolous and not taken in good faith.***

DATED this 2 day of August, 2013.

  
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Thomas M. Coffin  
United States Magistrate Judge